

REMARKS

This Amendment is being filed in response to a final Office Action mailed December 19, 2005.

Claims 1-29 are pending in the application. Claims 1-9 and 11-29 stand rejected under 35 U.S.C. §102(e) as being anticipated by Haller et al. (U.S. Pat. No. 6,804,558) ("Haller"). Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Haller in view of Fan et al. (U.S. Pat. No. 5,815,126) ("Fan"). Applicant is amending claims 1, 18, 19, and 23 as listed herein above. No new matter is being introduced by way of the amendments.

Claim 1, as amended in the claim listing above, recites "at least one wired local port and at least one wireless local port being configured to establish bi-directional data communications with at least one respective local device terminating a communications path." Support for Applicant's claim amendments is found in Applicant's specification as originally filed in reference to FIG. 4.

In contrast, Haller discloses a system that uses two wireless devices, a mobile telephone 110 and communication module 100. The mobile telephone 110 operates as a wireless communication link for the communication module 100 to communicate wirelessly with a communications network, and the communication module 100 communicates wirelessly with implantable medical devices (IMD's) 10. In Haller's FIG. 6A, the mobile telephone 110 and the communication module 100 communicate with each other via a wired link 107. In Haller's FIG. 6B, the mobile telephone 110 and the communication module 100 are an integrated unit.

To distinguish between Haller and Applicant's now amended claim 1, Applicant describes below Haller's mobile telephone 110 and communication module 100 in reference to FIG. 6A, in turn.

Haller's mobile telephone 110 has a wired local port to communicate with the communication module 100, but the communication module 100 is not a "local device terminating a communications path." Further, the mobile telephone 110 does not have "at least

one wireless local port,” as also recited in amended claim 1, such as one that can communicate with the IMD's.

Haller's communication module 100 has a wired local port to communicate with the mobile telephone 110, but the mobile telephone 110, operating simply as a communication link for the communication module 100, is not a “local device terminating a communications path.” Although the communication module 100 has wireless local ports configured to establish bi-directional data communications with at least one respective local device terminating a communications path (i.e., IMD's), Haller fails to anticipate Applicant's claim 1 as now amended because the communication module 100 does not include “at least one wired local port ... configured to establish bi-directional data communications with at least one respective local device terminating a communications path.” That is, the mobile telephone 110 is not a local device terminating a communications path.

Moreover, in reference to Haller's FIG. 6B, Haller's mobile telephone 110 and communication module 100 are configured as a single device 100, 110. However, this device 100, 110 does not include a wired local port, such as a wired local port to communicate with an IMD. Thus, Haller does not anticipate every limitation of Applicant's amended claim 1 (“at least one wired local port ... configured to establish bi-directional data communications with at least one respective local device terminating a communications path”).

Accordingly, Applicant respectfully submits that claim 1 as now amended distinguishes over Haller, and respectfully requests the rejection of claim 1 under 35 U.S.C. 102(e) be withdrawn.

Claims 2-9 and 11-17, which depend from claim 1, should be allowable for at least the same reasons, and Applicant respectfully requests that the rejection of these claims under 35 U.S.C. 102(e) be withdrawn.

Independent claims 18, 19, and 23 have been similarly amended as claim 1 and should be allowable for at least the same reasons. Dependent claims 20-22 and 24-25, 26-27, and 28-29, which depend from amended independent claims 1, 19, and 23, respectively, should be allowable

for at least the same reasons. Accordingly, Applicant respectfully requests that the rejection of these claims be withdrawn.

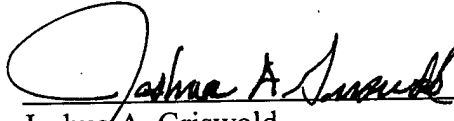
Conclusion

In view of the above, it is believed that the application is in order for issuance. Should the Examiner have any further questions or comments, the Examiner is invited to call the Applicant's representative at the phone number provided below.

Applicant believes no fees are due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayments to deposit account 06-1050.

Respectfully submitted,

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